REMARKS/ARGUMENTS

In the outstanding Final Official Action dated August 22, 2005, claims 15-21 were rejected under 35 U.S.C. § 103(a) over SHIMA (U.S. Patent Publication No. 2002/0004802) in view of TOMAT (U.S. Patent No. 6,459,499). These rejections were maintained in the Advisory Action dated November 22, 2005

Upon entry of the present amendment, claims 15, 17 and 20-21 will have been amended and claim 22 will have been submitted for consideration by the Examiner. Thus, claims 15-22 are now pending. In view of the herein-contained amendments and remarks, Applicant respectfully requests reconsideration of the outstanding rejection. Such action is respectfully requested and is now believed to be appropriate and proper

Applicant's claim 15 generally relates to a terminal apparatus which includes an interface configured to be connected to a scanner apparatus via a network. The terminal apparatus includes a memory which stores information indicating multiple file types and multiple application programs associated with the multiple file types. Each of the application programs is configured to open a document file associated with at least one of the file types.

The terminal apparatus includes a controller configured to receive, from the scanner apparatus, a control file including a file name. The terminal apparatus is also configured to receive, from the scanner apparatus, a document file. The document file includes image data scanned by the scanner apparatus. The controller is configured to analyze the file name included in the received control file to obtain the file type of the received document file. The controller is further configured to determine the

application program associated with the obtained file type from the application programs stored in the memory, and to start the application program associated with the obtained file type to open the received document file.

Claim 20 recites a system related to the terminal apparatus recited in claim 15, and claim 21 recites a method related to the terminal apparatus recited in claim 15.

The Advisory Action mailed on November 25, 2005 acknowledges at, page 3, that SHIMA (the primary reference relied upon) "*fails to teach a memory configured to store a plurality of information indicating a plurality of file types and a plurality of application programs associated with the plurality of the file types, each of the plurality of application programs being utilized for opening a document file associated with each of the plurality of the file types; and a controller configured to: receive, from the scanner apparatus, a control file including a file name; receive, from the scanner apparatus, a document file, the document file including image data scanned by the scanner apparatus; analyze the file name included in the received control file to obtain the file type of the received document file; and start the application program associated with the obtained file type to open the received document file*". However, the Advisory Action asserts that it would be obvious to modify SHIMA so extensively as to include each of the above-noted features which are absent from SHIMA.

The Advisory Action is erroneous at least because it applies teachings in TOMAT of the functionality of a computer system 2, that includes a scanner 1, as disclosing the features of the terminal apparatus recited in claim 15. The computer system 2 of TOMAT (i.e., which includes the scanner 1) determines characteristics of a terminal device before sending a scanned image to the terminal device. The scanner 1 scans

an image according to the determined characteristics of a terminal device and the scanned image is sent to the terminal device. In contrast, the claimed terminal apparatus of claim 15 includes a controller configured to receive, from the scanner apparatus, a control file including a file name and a document file including image data scanned by the scanner apparatus. Accordingly, while TOMAT ensures that transmitted data conforms to a terminal device before scanning, the invention recited in claim 15 receives scanned image data and determines how to open the scanned image data after it is received. Thus, TOMAT contains no disclosure of the above-noted recited features of claim 15.

The outstanding Advisory Action asserts, in the Response to Arguments at page 2, that TOMAT discloses functionality of the claimed terminal apparatus at col. 2, lines 11-26 and 33-45. The Advisory Action is in error. In this regard, TOMAT discloses, at col. 2, that an autosend function at a scanning side (i.e., of the computer system 2) of a network determines characteristics for an identified remote terminal recipient and scans an image according to the determined characteristics. Thus, the functionality of TOMAT is not the functionality of the terminal apparatus (i.e., the receiver); rather, the functionality of TOMAT is functionality of the computer system 2 which includes the scanner 1 (i.e., the transmitter).

Furthermore, the Advisory Action asserts that the functionality of the claimed terminal apparatus is disclosed in TOMAT at col. 11 lines 45-58. However, this portion of TOMAT is directed to "editing a profile... by opening the file in a... remote application... running on a remote computer system" (see col. 11, lines 45-49). Thus, this portion of TOMAT is not directed to the claimed features of a terminal apparatus.

Rather, this functionality of TOMAT is directed to remotely editing a profile of a terminal apparatus such as a remote computer system.

In other words, TOMAT relates to a system for scanning a document and sending a corresponding image file to a remote recipient. In TOMAT, a computer system 2 sends image files to physically remote computer systems (col. 4, lines 40-46). The computer system 2 includes a scanner 1, a display 10, and a fixed disk 15 (Fig. 1). The fixed disk 15 contains a software autosend utility 46 and user profiles 50 (Fig. 2). The user profiles 50 are accessed by the software autosend utility 46. Each of the user profiles 50 include name 115, file transport information 116, and image scanning characteristics 117 (Fig. 5 and col. 7, lines 37-43). A user at the computer system 2 selects a user name of an intended recipient such as the computer system 58, 60 and 63 (Fig. 11 step S1103 and col. 12, lines 60-65).

Based on the profile corresponding to the user name, the software autosend utility 46 determines image scanning characteristics for scanning the document (Fig. 11 step S1105 and col. 13, lines 1-3). Similarly, based on the profile corresponding to the user name, the software autosend utility 46 determines transport information (a transport protocol) for sending the image file (Fig. 11 step S1108 and col. 13, lines 35-36) to the intended recipient. The image scanning characteristics and the transport information are utilized for the intended recipient (col.2, lines 11-26). In other words, in TOMAT, the software autosend utility 46 contained in the fixed disk 15 of the computer system 2 determines the image scanning characteristics for the intended recipient, and the transport information for the intended recipient.

However, the computer system 2, which includes the scanner 1, is not the claimed terminal apparatus. In this regard, the computer system 2 does not receive, from the scanner, a control file including a file name. Rather, TOMAT discloses that the software autosend utility 46 (i.e., contained in the fixed disk 15 of the computer system 2) determines image scanning characteristics that the scanner 1 utilizes for scanning the document. The software autosend utility 46 is contained in the fixed disk 15 of the computer system 2.

The terminal apparatus of the present invention is remote from the scanner (i.e., "connected to a scanner apparatus via a network"). In contrast, the computer system 2 of TOMAT is part of a computer system 2 that includes the scanner. In TOMAT, the remote apparatuses include the computer systems 58, 60 and 63. The portion of TOMAT applied in the Advisory Action (col. 2, lines 11-26 and col. 2, lines 33-45) merely discloses that the computer system 2 stores image scanning characteristics and transport information for an intended recipient, scans image data according to the stored image scanning characteristics, and transmits to the recipient, the image data according to the stored transport information. Thus, the functionality of TOMAT is not directed to a terminal apparatus which receives, from the scanner, a control file including a file name and a document file including image data scanned by the scanner apparatus.

TOMAT also does not disclose a terminal apparatus which stores a plurality of information indicating a plurality of file types and a plurality of application programs associated with the plurality of the file types, each of the plurality of the application programs being configured to open a document file associated with each of the plurality

of the file types, the plurality of information indicating the plurality of the file types and the plurality of the application programs associated with the plurality of the file types being stored in the memory within the terminal apparatus. In this regard, the Advisory Action mailed on November 25, 2005 asserts, at pages 3 and 4, that TOMAT teaches these claimed features at col.10, lines 25-34 and col.14, lines 13-34.

Col.10, lines 25-34 of TOMAT describes Fig.6, which illustrates the display 10 contained in the computer system 2. As explained above, the computer system 2 is not a "terminal apparatus" as recited, at least because the computer system 2 includes a scanner 1 and transmits scanned images to another and distinct terminal apparatus.

Additionally, col.14, lines 13-34 of TOMAT describes a recipient such as the computer systems 58, 60 and 63. The computer systems 58, 60 and 63 are different devices from the computer system 2, and none of these computer systems disclose the features of the terminal apparatus recited in claim 15. In this regard, TOMAT does not teach that the computer system 2 (58, 60 and 63) stores a plurality of information indicating a plurality of file types and a plurality of application programs associated with the plurality of the file types, each of the plurality of the application programs being utilized for opening a document file associated with each of the plurality of the file types.

Nevertheless, Applicant has amended the pending claims to clarify the scope of the invention. In particular, claim 15 is amended to recite that a "controller is configured to... determine the application program associated with the obtained file type from the plurality of the application programs stored in the memory".

TOMAT does not disclose a terminal apparatus which determines the application program associated with the obtained file type from the plurality of the application

programs stored in the memory. Further, TOMAT does not disclose a terminal apparatus which analyzes the file name included in the received control file to obtain the file type of the received document file, at least since TOMAT does not disclose a terminal apparatus which receives, from the scanner, a control file including a file name.

The Advisory Action points to col.11, lines 44-58, which discloses "Open in Remote Application". However, this portion of TOMAT describes the add/edit profile window 130 for adding or editing a user profile for sending an image file by opening the file in a DCOM-enabled remote application. The add/edit profile window 130 is used to add/edit the user profile 50. For example, when the user profile 50 is added or edited, the DCOM-enabled remote application is used to open an image file. In TOMAT, potential recipients update their user profiles stored in the network disk 83, using the add/edit profile window 130 (col.9, lines 15-25). Then, the updated transport protocol such as the DCOM transport protocol is used to transmit an image file to the recipient and to open the image file in the DCOM-enabled remote application (col.11, lines 45-58).

In other words, an intended recipient and a file name for the remote application are set in the network disk 83 by the intended recipient himself to transmit an image file to the intended recipient and to open the image file in the DCOM-enabled remote application. In this case, the potential recipients who update their user profiles stored in the network disk 83 determine their own user profiles, and the computer system 2 transmits an image file according to the determination by the potential recipients. Thus, TOMAT does not disclose a terminal apparatus which analyzes the file name

included in the received control file to obtain the file type of the received document file, as recited in the pending claims.

Further, TOMAT does not disclose a terminal apparatus which determines the application program associated with the obtained file type from the plurality of the application programs stored in the memory. Rather, in TOMAT, the potential recipients who update their user profiles stored in the network disk 83 determine their own user profiles using the add/edit profile window 130, and the computer system 2 transmits an image file according to the determination of the potential recipients (col.9, lines 15-25 and col.11, lines 45-58). Thus, TOMAT does not determine the application program associated with the obtained file type from the plurality of the application programs stored in the memory. Therefore, TOMAT does not disclose a terminal apparatus which determines the application program associated with the obtained file type from the plurality of the application programs stored in the memory.

Further, TOMAT does not disclose a terminal apparatus which starts the application program associated with the obtained file type to open the received document file, the application program being stored in the memory. In this regard, TOMAT does not determine the application program associated with the obtained file type from the plurality of the application programs stored in the memory. Rather, Fig. 9 of TOMAT merely describes add/edit profile window 130 for adding or editing a profile for sending an image file. This addition/edition is performed by opening the image file in a remote application running on a remote computer system, but the remote application is selected by the potential recipient (col.9, lines 15-25 and col.11, lines 45-58). Thus, TOMAT does not analyze the file name included in the control file received

from the scanner to obtain the file type of the received document file and does not determine the application program associated with the obtained file type from the plurality of the application programs stored in the memory. Therefore, TOMAT does not disclose a receiving terminal apparatus which starts the application program associated with the obtained file type to open the received document file. Further, the add/edit window 130 of Fig. 9 is utilized for adding/editing the user profile 50 stored in the network disk 83, and the updated user profile 50 is used for sending an image file at the computer system 2 (col.11, lines 45-58). On the other hand, in the invention recited in claim 15, the associated application program is determined and started for opening the received document file, at the remote side.

Further, col. 14, lines 13-34 of TOMAT teaches that an image file is opened in an application program at a remote side. However, this description merely provides a general explanation of opening an image file. As explained above, the specific functionality of TOMAT relied-upon in the Advisory Action is provided at the scanner side. Thus, the remote side of TOMAT does not disclose the numerous features noted above which are recited in claim 15. In any case, the Advisory Action applies the teachings of the transmitting (scanner) side as disclosing the numerous features of the terminal apparatus (receiver) noted above which are recited in claim 15. Therefore, Applicant submits that TOMAT does not disclose the features recited in claim 15 which the Advisory Action acknowledges are not disclosed or suggested by SHIMA.

Further, regarding claim 22, TOMAT does not disclose a terminal apparatus connectable to a plurality of scanner apparatuses via a network. Rather, TOMAT discloses the fixed disk 15 connected to the scanner 1 via the scanner interface 8. At

least for the same reason, TOMAT does not disclose a terminal apparatus which receives, from one of the plurality of the scanner apparatuses, a control file including a file name and a document file, the document file including image data scanned by the scanner apparatus.

Moreover, the Advisory Action provides no proper motivation for the proposed combination of SHIMA and TOMAT. In this regard, the Advisory Action merely acknowledges deficiencies of SHIMA and asserts that since these deficiencies are (assertedly) taught by TOMAT, it would be obvious to modify SHIMA to include those features. However, this proposal to combine features does not itself establish motivation, let alone a proper motivation, to combine these features. Without proper motivation for the proposed combination, the rejection under 35 U.S.C. § 103 is not proper.

The mere assertion of obviousness without any supporting evidence in the form of motivation is inadequate to satisfy the requirement of 35 U.S.C. § 103. Yet further, Applicant notes that TOMAT does not supply the above-noted deficiencies of SHIMA. Accordingly, it is respectfully submitted that the Examiner's proposed combination is defective and thus all the claims are patentable over the Examiner's proposed combination. In this regard, if the rejection of claims 15-21 over SHIMA and TOMAT is maintained, Applicant respectfully requests a specific explanation from the Examiner as to what motivation is believed to exist for each of the extensive modifications to the teachings of SHIMA which would be required to obtain the invention recited in Applicant's claims. Applicant particularly requests a specific explanation from the Examiner as to what motivation is believed to exist to apply functionality of a

transmitting computer system 2 in TOMAT (which includes a scanner), to a receiving terminal apparatus as recited in claim 15, when TOMAT itself declines to provide such functionality to terminal computers such as 58, 60 and 63.

Applicant further submits that claims 20 and 21 are allowable at least for reasons similar to the above-noted reasons for the allowability of claim 15. Applicant further submits that claims 16-19 and 22 are allowable at least for depending, directly or indirectly, from an allowable independent claim, as well as for additional reasons related to their own recitations. Accordingly, TOMAT cannot supply the shortcomings of SHIMA. Therefore, it is respectfully submitted that the features recited in Applicant's submitted claims 15-22 are not disclosed, suggested or rendered obvious by the combination of SHIMA and TOMAT.

Claims 15-22 are patentable over the Examiner's proposed combination, since neither of SHIMA and TOMAT, nor any proper combination thereof, discloses the combination of features recited in Applicant's claims 15-22.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection, and requests an indication of the allowability of all the claims pending in the present application, in due course.

SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has amended the claims and has submitted a new claim for consideration by the Examiner. Applicant has pointed out the features thereof and explained how such features, in the claimed combination, are not taught, disclosed or rendered obvious by the combination of references applied in the Final Official Action and Advisory Action. Additionally, Applicant has again noted the lack of motivation of evidence to support of the combination of references applied in the Final Official Action and Advisory Action.

Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all claims in the present application and respectfully requests an indication of the allowability of all the claims pending in the present application, in due course.

The amendments to the claims which have been made in this amendment, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

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